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8 Attorneys for defendants and counter-claimants
9 CHIPMOS TECHNOLOGIES INC. and
10 CHIPMOS U.S.A. INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

TESSERA, INC.,

CASE No. 4:05-cv-04063-CW

Plaintiff, Counter-defendant,

v.

ADVANCED MICRO DEVICES, INC. et al.,

Defendants, Counter-claimants.

**JOINT STIPULATION AND
[PROPOSED] ORDER CHANGING THE
DATE OF UPCOMING CASE
MANAGEMENT CONFERENCE AND
RELATED DATES**

1 1. WHEREAS, this Court stayed the case known as *Tessera, Inc. v. Advanced Micro*
 2 *Devices, Inc. et al*, Case No. C 05-04063 (CW) (the “AMD case”) by its order of May 24, 2007
 3 with respect to International Trade Commission Investigation 337-TA-605 “until the
 4 determination of the ITC, including appeals becomes final,” and WHEREAS, on August 5, 2008
 5 the Court ordered that the stay of the AMD case “shall be extended until a determination in the
 6 International Trade Commission Investigation 337-TA-649, including appeals, becomes final;”
 7 and

8 2. WHEREAS, the Court issued a Related Case Order on September 11, 2008 in the
 9 AMD case finding that the three cases known as, *Siliconware Precision Industries Co., Ltd. et al.*
 10 *v. Tessera*, Case No. C 08-03667 RS; *Advanced Semiconductor Engineering Inc. et al. v.*
 11 *Tessera*, Case No. C 08-03726 EMC; and *Chipmos Technologies Inc. et al. v. Tessera, Inc.*, Case
 12 No. C 08-03827 CW, were related to the AMD case (these three cases are collectively the
 13 “Related Cases”); and

14 3. WHEREAS the Court stayed all proceedings in the Related Cases, to include all
 15 claims and counterclaims, by its order of December 19, 2008 “[i]n light of the decision by the
 16 International Trade Commission (‘ITC’) granting Tessera’s motion to amend the Complaint and
 17 Notice of Investigation adding U.S. Patent No. 5,663,106 to the investigation” known as 337-
 18 TA-649 and the stipulation of the parties in the Related Cases; and

19 4. WHEREAS, by its orders of December 16, 2009 this Court subsequently set a
 20 Case Management Conference in both the AMD case and the Related Cases for June 22, 2010 at
 21 2:00 p.m; and

22 5. WHEREAS the parties in the AMD and Related Cases, by their undersigned
 23 counsel, report to the Court that the current status of the pending International Trade
 24 Commission Investigation 337-TA-605 is that the Final Determination is under appeal to the
 25 Federal Circuit in Case Number 09-1460. The appeal is now fully briefed and oral argument is
 26 scheduled for June 9, 2010, and;

27 6. WHEREAS, since a final resolution of ITC’s 337-TA-605 investigation,

1 including appeals, is unlikely to occur before December 1, 2010, the parties in the AMD case
2 and in the Related Cases believe that it would be most efficient to further postpone the case
3 management conference and related activity in the AMD case and the Related Cases until
4 approximately December 14, 2010; and

5 7. WHEREAS, the parties appearing below agree that there would be no prejudice to
6 the parties in moving the case management conference, as these cases are currently stayed;

7 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the
8 parties appearing below through their undersigned respective attorneys of record, based on the
9 foregoing, and subject to the approval of this Court, that:

10 8. The case management conference currently scheduled for June 22, 2010 at 2:00
11 p.m. in the AMD shall be rescheduled for 12/14/2010 at 2 .00 p.m., or as soon thereafter as
12 the Court is available;

13 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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15 Dated this 11th day of June, 2010.


Honorable Claudia Wilken
United States District Judge

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1 Dated: June 8, 2010

/s/

2 Robert E. Camors, Jr.
3 FOLEY & LARDNER LLP
4 Attorneys for defendants and counter-claimants
ADVANCED SEMICONDUCTOR
ENGINEERING, INC., ASE TEST LIMITED, and
ASE (U.S.) INC.

5 Dated: June 8, 2010

/s/

6 Michael Heafey
7 ORRICK, HERRINGTON & SUTCLIFFE
8 Attorneys for defendants and counter-claimants
SILICONWARE PRECISION INDUSTRIES CO.,
LTD. and SILICONWARE U.S.A.

9 Dated: June 8, 2010

/s/

10 Elaine Chow
11 K&L GATES LLP
12 Attorneys for defendant and counter-claimant
ADVANCED MICRO DEVICES, INC.

13 Dated: June 8, 2010

/s/

14 Lawrence E. Butler
SEYFARTH SHAW
15 Attorneys for defendants and counter-claimants
CHIPMOS TECHNOLOGIES INC. and CHIPMOS
U.S.A. INC.

16 Dated: June 8, 2010

/s/

17 Russell L. Johnson
18 SIDLEY AUSTIN LLP
19 Attorneys for defendants and counter-claimants
20 STMICROELECTRONICS N.V. and
21 STMICROELECTRONICS, INC.

22 Dated: June 8, 2010

/s/

23 Michael Franzinger
WEIL, GOTSHAL & MANGES LLP
24 Attorneys for defendants and counter-claimants
STATS CHIPPAC INC., STATS CHIPPAC LTD
and STATS CHIPPAC (BVI) LIMITED

25 Dated: June 8, 2010

/s/

26 Trevor Stockinger
IRELL & MANELLA LLP
27 Attorneys for plaintiff and counter-defendant
TESSERA, INC.

28 Dated: June 8, 2010

/s/

Michael J. Bettinger
K&L/GATES
Attorneys for defendants and counter-claimants
SPANSION INC.; SPANSION TECHNOLOGY,
INC., and SPANSION LLC

1 Concurrence in the filing of this document has been obtained from the signatories listed
2 above.
3

4 Dated: June 8, 2010

SEYFARTH SHAW LLP

5 /s/
6 Lawrence E. Butler

7 Attorneys for defendants and counter-claimants
8 CHIPMOS TECHNOLOGIES INC. and CHIPMOS
U.S.A. INC.

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Attestation Pursuant to General Order No. 45, Section X

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this efiled document.

Dated: June 8, 2010

/s/ Laurence E. Butler